

**ZB# 06-41**

**Luis Castillo**

**35-3-8**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

*Granted 8-28-06*

06-41 Luis Castillo (Area)  
280 Garden St. (35-3-8)

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 35-3-8

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

LUIS CASTILLO

AREA

CASE #(06-41)

**WHEREAS, Luis Castillo** , owner(s) of 280 Garden Street, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 12 ft. Rear Yard Setback for proposed wood deck at 280 Garden Street in an R-4 Zone (35-3-8)

**WHEREAS**, a public hearing was held on August 28, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there was one spectators appearing at the public hearing; and

**WHEREAS**, one person spoke in favor of the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties in an R-4 zone.
  - (b) With the deck, the house will be similar in size and nature to other houses in the neighborhood.
  - (c) The proposed or existing deck is immediately adjacent to an exit portal of the building. Without the deck, a safety issue would exist because a person exiting

the premises would probable fall and sustain serious physical injury if the deck were not in place.

- (d) In constructing the deck, the applicant will not remove any trees or substantial vegetation.
- (e) In building the deck the applicant will not build on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements.
- (f) In building the deck the applicant will not create the ponding or collection of water or divert the flow of water drainage.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

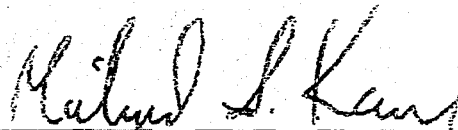
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 12 ft. Rear Yard Setback for proposed wood deck at 280 Garden Street in an R-4 Zone (35-3-8) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: August 28, 2006

A handwritten signature in cursive script, appearing to read "Michael S. Kears", is written over a horizontal line.

Chairman

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**COPY**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

**DATE: May 31, 2006**

**APPLICANT: Luis Castillo  
280 Garden Street  
New Windsor, NY 12553**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 5/5/06**

**FOR : Proposed 16x22ft. attached rear deck.**

**LOCATED AT: 280 Garden Street**

**ZONE: R-4 Sec/Blk/ Lot: 35-3-8**

**DESCRIPTION OF EXISTING SITE: One family house.**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. Proposed wood deck will not meet minimum 50ft. rear yard set-back.**

*Frank J. Levi*  
BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-4    USE:    Bulk Tables: G-6			
MIN LOT AREA:			
MIN LOT WIDTH:			
REQ'D FRONT YD:			
REQ'D SIDE YD:			
REQ'D TOTAL SIDE TD:			
REQ'D REAR YD:	50ft.	38ft.	12ft.
REQ'D FRONTAGE:			
MAX BLDG HT:			
FLOOR AREA RATIO:			
MIN LIVABLE AREA:			
DEV COVERAGE:			

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
JUST CALL FOR ALL REQUIRED INSPECTIONS OF COM

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

MAY 05 2006

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit # 2006-444

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Luis M. LONE CASTILLO

Address 280 GARDEN ST. NEW WINDSOR Phone # 845 569-4872

Mailing Address \_\_\_\_\_ Fax # \_\_\_\_\_

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor SC GARBL CONSTRUCTING CORP  
Address PO BOX 361 SALISBURY Mills Phone 845-496-2172

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_
2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N (✓)
3. Tax Map Description: Section 35 Block 3 Lot 8
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.  
a. Existing use and occupancy Deck b. Intended use and occupancy pleasure
5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other
6. Is this a corner lot? NO Deck
7. Dimensions of entire new construction. Front 16 Rear 22 Depth \_\_\_\_\_ Height 5 No. of stories 1
8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_  
Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost 7,000

Fee \$50

#155

**PAID**

1 / 1  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Liel & Louis Kryshear  
New Windsor Town Hall  
655 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

*James E. Bartlett*  
(Signature of Applicant)

280 GARDEN ST. New Windsor  
(Address of Applicant)

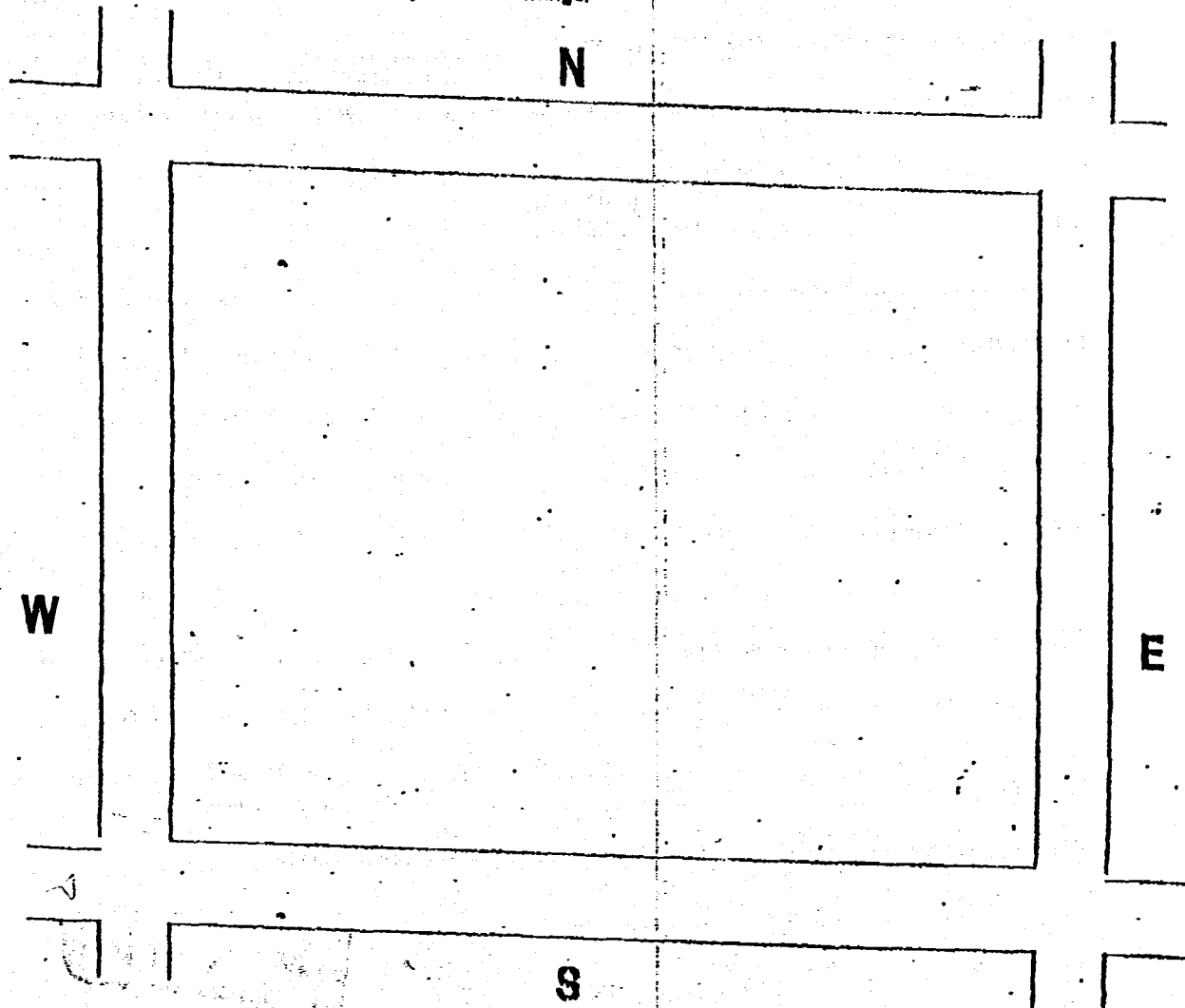
*James E. Bartlett*  
(Owner's Signature)

280 GARDEN ST. New Windsor  
(Owner's Address)

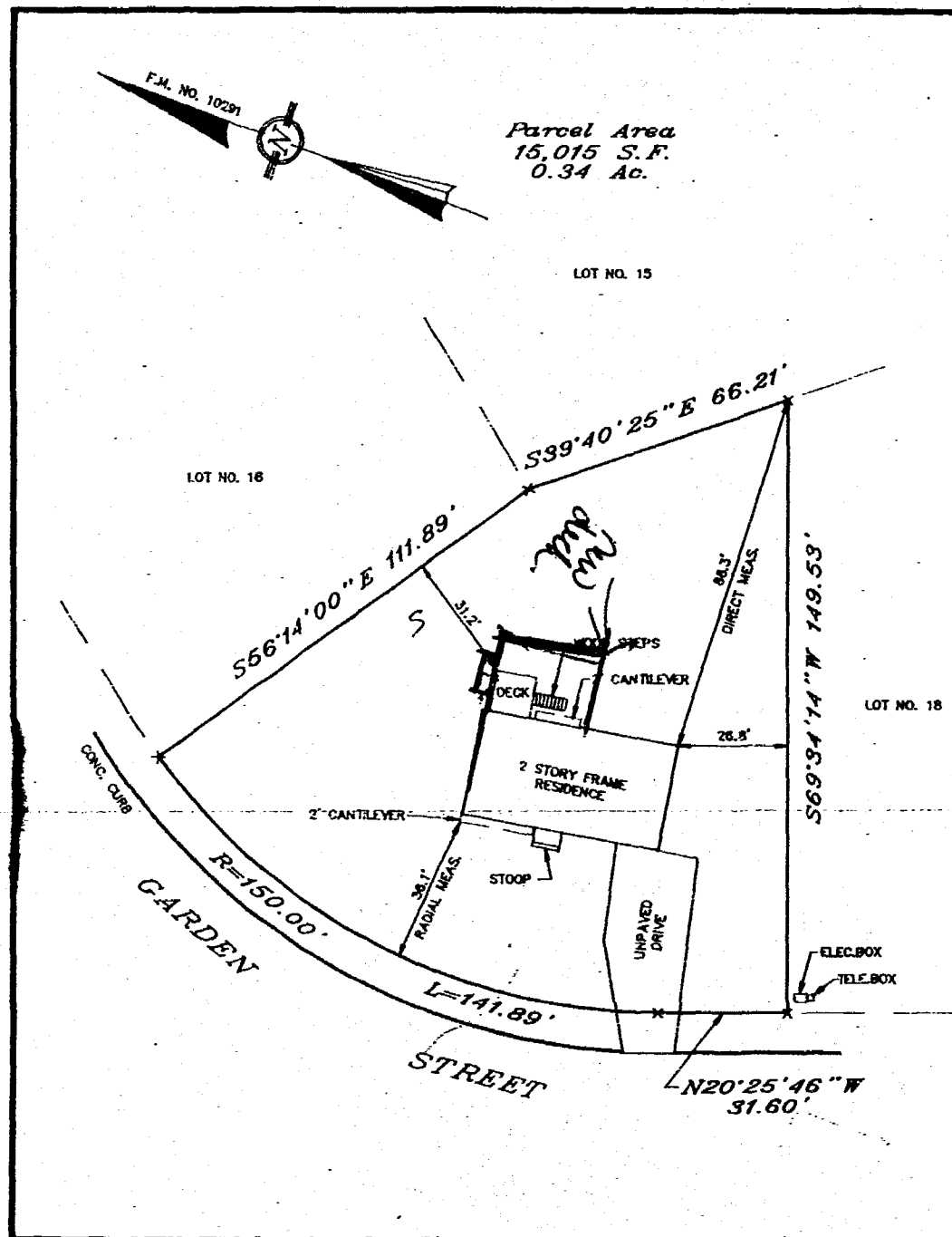
PLOT PLAN

**NOTE:**

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
APPLICANT  
MUST CALL FOR ALL REQUIRED INSPECTIONS OF COMPLETION



## GENERAL NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.
2. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY, MARKED WITH AN ORIGINAL LAND SURVEYOR'S INKED SEAL, SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
3. CERTIFICATION SHALL RUN ONLY TO THE PERSONS FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF, TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON AND IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

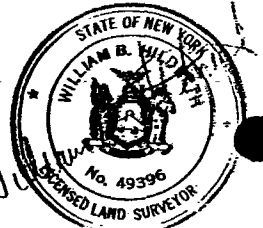
## SPECIAL NOTES

1. BEING LOT NO. 17 AS SHOWN ON A MAP ENTITLED "WINDSOR SQUARE SUBDIVISION", SAID MAP HAVING BEEN FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON 31 JULY 1991 AS MAP NO. 10291.
2. OFFSETS SHOWN ARE AT RIGHT ANGLES TO THE PROPERTY LINES, UNLESS OTHERWISE NOTED.
3. NO CERTIFICATION IS MADE FOR ITEMS NOT VISIBLE AT GROUND SURFACE AT THE TIME OF SURVEY.
4. THIS PLAN WAS PREPARED PRIOR TO THE RECEIPT OF A TITLE REPORT OR ABSTRACT OF TITLE AND IS THEREFORE SUBJECT TO EASEMENTS AND OTHER GRANTS NOT VISIBLE, IF ANY.

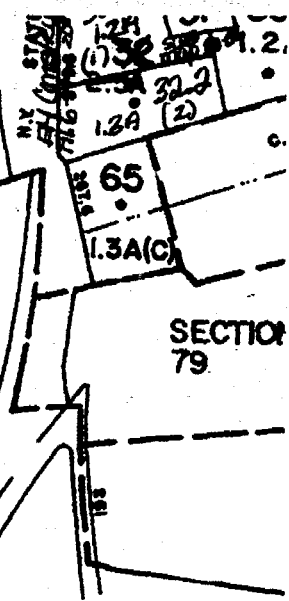
## CERTIFICATION

I hereby certify that this plan resulted from an actual field survey of the indicated premises completed on 18 March 1995 performed in accordance with the code of practice adopted by the N.Y.S. Association of Professional Land Surveyors, Inc.; and is, to the best of my knowledge and belief, correct.

CERTIFIED TO: Luis E. Castillo  
Milene Castillo  
Fleet Real Estate Funding Corp.  
its successors and/or assigns  
Fidelity National Title Insurance Company of New York

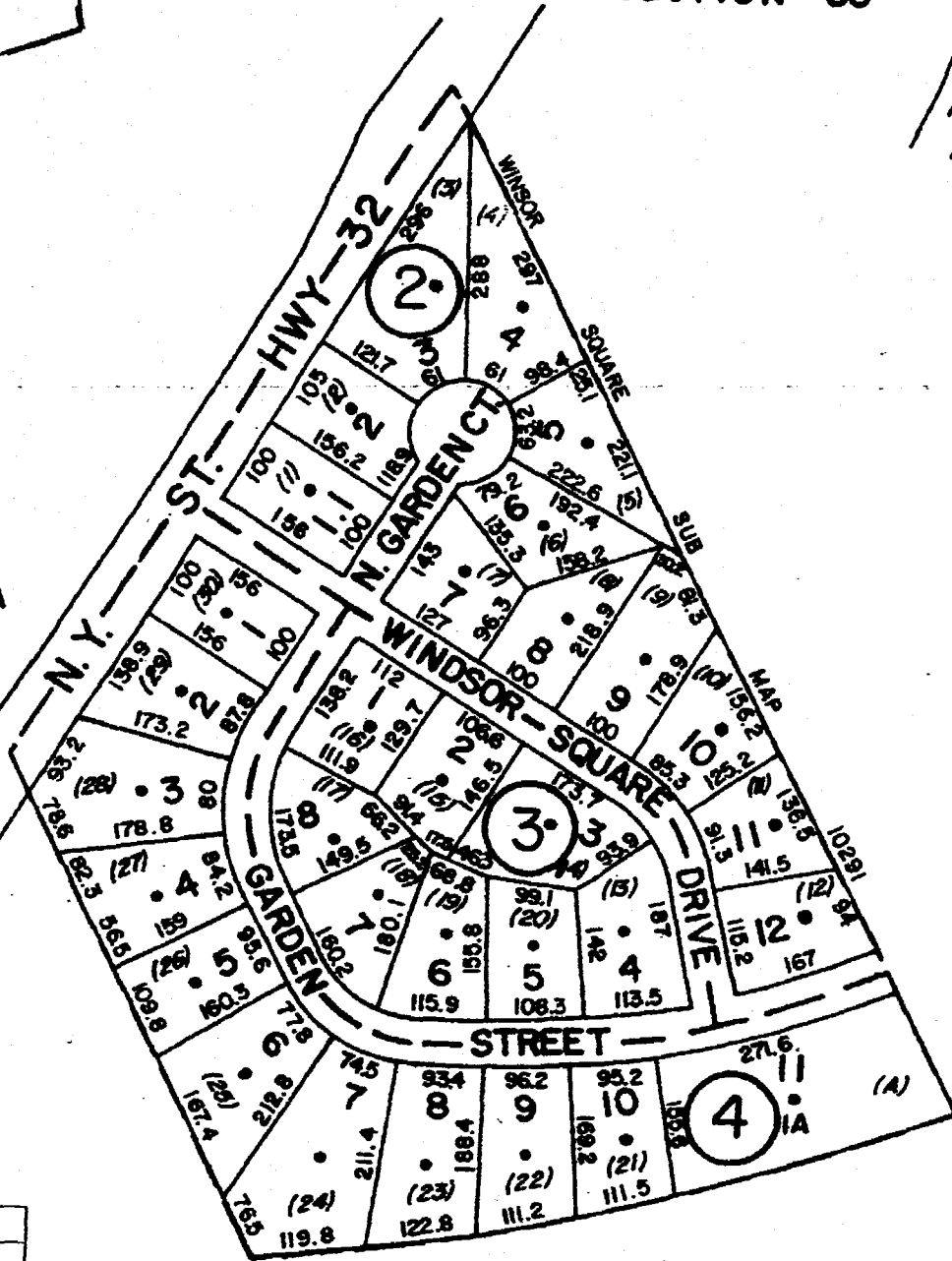


<b>Grevas &amp; Hildreth, P.C.</b> LAND SURVEYORS 33 QUASSACK AVENUE, NEW WINDSOR, NEW YORK 12553 TEL: (518) 882-8887		SURVEY FOR: <b>LUIS E. CASTILLO &amp; MILENE CASTILLO</b>	
REMISSONS: ACAD:RS017		TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK	
DATE	DESCRIPTION	Drawn: WWH	<b>BOUNDARY/LOCATION SURVEY</b>
4/25/95	REVISED CERTIFICATION DATE	Checked:	
		Scale: 1"=30'	
		Date: 18 Mar. 1995	
		Job No: 95-019	



SECTION 65

INSERT A  
1" = 200'



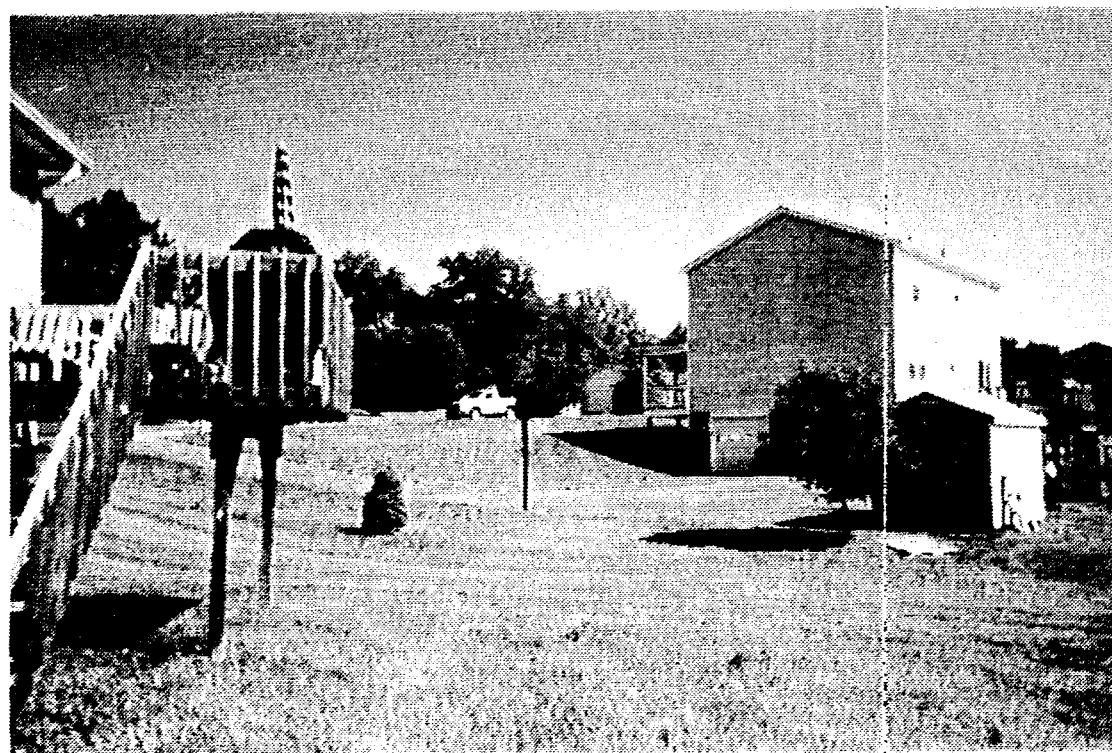
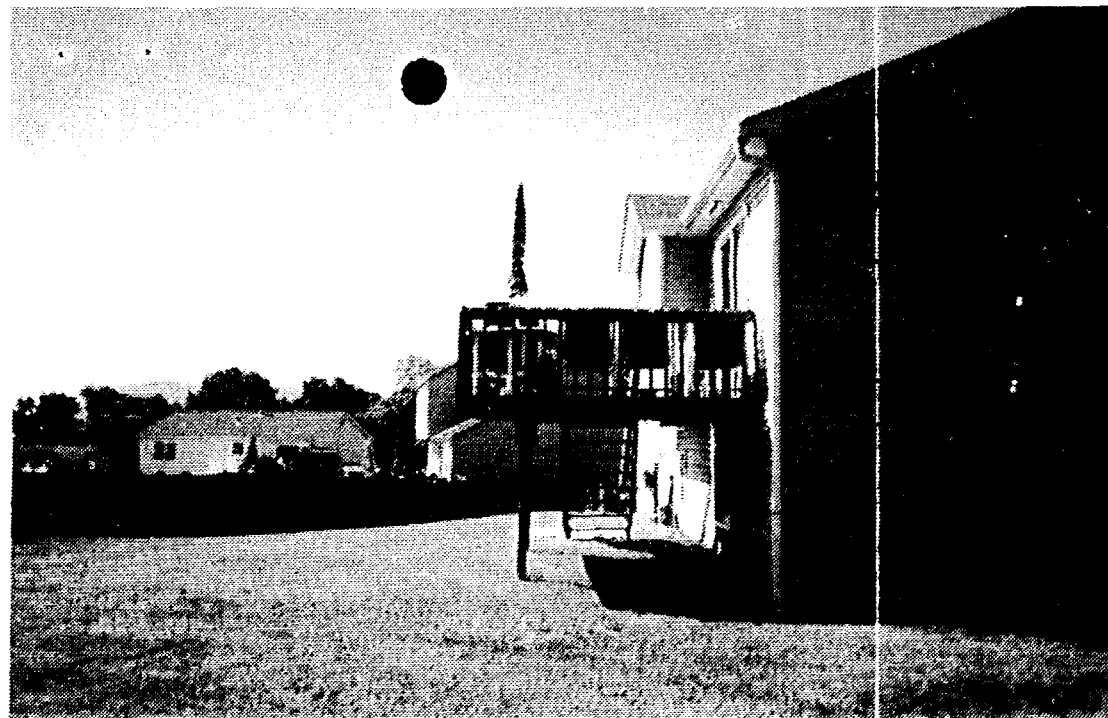
②	④
(3)	
N Y STATE HWY NO 17	
COUNTY ROAD NO 4	
TOWN ROAD 1	

ERCIAL PURPOSES  
NLY

ORANGE COUNTY









**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: OCTOBER 24, 2006**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 177.68 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #06-41**

**NAME & ADDRESS:**

**Mr. Luis Castillo  
280 Garden Street  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.10-24-06**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #06-41      TYPE: AREA      TELEPHONE: 569-4872

APPLICANT:  
Mr. Luis Castillo  
280 Garden Street  
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>164</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 165

~~~~~

| <u>DISBURSEMENTS:</u> |  | MINUTES<br>\$7.00 / PAGE | ATTORNEY<br>FEE |
|-----------------------|--|--------------------------|-----------------|
|-----------------------|--|--------------------------|-----------------|

|                              |          |       |                 |                 |
|------------------------------|----------|-------|-----------------|-----------------|
| PRELIMINARY:                 | <u>3</u> | PAGES | \$ <u>21.00</u> | \$ <u>35.00</u> |
| 2 <sup>ND</sup> PRELIMINARY: | —        | PAGES | \$ _____        | \$ _____        |
| PUBLIC HEARING:              | <u>3</u> | PAGES | \$ <u>21.00</u> | \$ <u>35.00</u> |
| PUBLIC HEARING:              | —        | PAGES | \$ _____        | \$ _____        |

LEGAL AD: Publish Date: 8-8-06      \$ 10.32

TOTAL:      \$ 52.32      \$ 70.00

~~~~~

ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 122.32

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 177.68

Cc:

L.R. 10-24-06



# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

## Invoice

Date	Invoice #
9/12/2006	8192

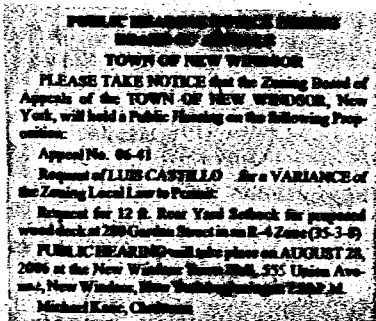
<b>Bill To</b>
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

*MM*

P.O. No.	Terms	Project
<i>45921</i> <del>46225</del>	Due on receipt	

Issue Date	Description	PCS/Units	Amount
8/8/2006	LEGAL ADS: LUIS CASTILLO 1 AFFIDAVIT	6.32 4.00	6.32 4.00
		<b>RECEIVED</b> OCT 11 2006 TOWN OF NEW WINDSOR COMPTROLLER'S OFFICE	
		<b>Total</b>	\$10.32

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845) 562-1218



State of New York  
County of Orange, ss:  
Patricia Quill being duly  
sworn disposes and says that she is The  
Supervisor of Legal Dept. of the E.W. Smith  
Publishing Company; Inc. Publisher of The  
Sentinel, a weekly newspaper published and  
of general circulation in the Town of New  
Windsor, Town of Newburgh and City of  
Newburgh and that the notice of which the  
annexed is a true copy was published IX  
in said newspaper, commencing on  
the 8 day of Aug A.D., 2006  
and ending on the 8 day of Aug  
A.D. 2006

*Patricia Quill*

Subscribed and shown to before me  
this 18<sup>th</sup> day of Sept, 2006       .

*Deborah Green*

Notary Public of the State of New York  
County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4934085  
Commission Expires July 15, 2007

My commission expires



RESULTS OF Z.B.A. MEETING OF: August 28, 2006

PROJECT: Luis Castillo ZBA # 06-41

P.B.# \_\_\_\_\_

USE VARIANCE: \_\_\_\_\_ NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

SCHEDULE PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒  
VARIANCE APPROVED: M) I S) Lu VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN A  
LUNDSTROM A  
LOCEY A  
TORPEY A  
KANE A

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

16 x 22 Deck

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

PUBLIC HEARING FOR: Luis Castillo ZBA #06-41

DATE: 8-28-06

SIGN-IN SHEET

	NAME	ADDRESS	PHONE NUMBER
1.	<u>Ron Mackey</u>	<u>Yardex St.</u>	<u>(for)</u>
2.			
3.			
4.			
5.			
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16.			
17.			
18.			
19.			
20.			

July 10, 2006

3

PRELIMINARY MEETINGS:

LUIS CASTILLO (06-41)

MS. GANN: Preliminary meetings, just so everyone knows, we have preliminary meetings as well as public hearings so what you will do is you'll come for your preliminary hearing this evening, you'll come on up, you'll tell us why you're here and give us your name and address loud enough for Fran to hear you, tell us why you're here again. And then for some of you you might be here for a public hearing, so this would be the last time that you visit the Zoning Board of Appeals. So again, with the public hearing, come on up, tell us what you're looking to do all over again just like you did with the preliminary and then we'll take things from there.

So the first order of business is Luis Castillo. Request for 12 ft. rear yard setback for proposed wood deck at 280 Garden Street.

Mr. Luis Castillo appeared before the board for this proposal.

MS. GANN: Tell us why you're here.

MR. CASTILLO: Well, we wish to replace an existing deck 10 x 10 and replace it with a 12, I'm sorry, 16 x 20 deck and I was informed that I was not, the rules have changed and I need to have some I think it's 50 feet I think from the property line and the variance I think is 12 feet.

MS. GANN: Is that why he's here, Mike, tonight?

MR. BABCOCK: Yes, he's actually getting closer to the property line but his application is, paperwork calls for 16 x 22 deck.

MR. CASTILLO: Yes, I'm sorry, yes.

July 10, 2006

4

MR. BABCOCK: Just so the numbers are right, that has nothing to do with the bearing of the 22 foot, just so we're on the same page. He's got a weird shaped lot, Miss Chairman, and looking from the front of Garden Street we're considering the 31.2 feet a side yard and the straight back, there's an angle on the piece of property, we're considering that the rear yard, he's maintaining 38 feet there, the requirements are 50 feet.

MS. GANN: I'm going to ask you some questions that are probably apparent to the pictures but we need to ask them. Will you be taking down any substantial vegetation in the building of the deck?

MR. CASTILLO: I'm sorry?

MS. GANN: Will you be taking down any trees?

MR. CASTILLO: No.

MS. GANN: Will the deck be similar in size to other decks that are in your neighborhood?

MR. CASTILLO: Yes.

MS. GANN: Will you be creating any water hazards?

MR. CASTILLO: No.

MS. GANN: Do you know of any easements that this new deck would go over?

MR. CASTILLO: No, not that I know of.

MS. GANN: Any other questions from the board?

MR. LUNDSTROM: Madam Chairwoman, I have none.

July 10, 2006

5

MR. KRIEGER: The deck is adjacent to an exit from the house?

MR. CASTILLO: Yes, actually, it's part of the exit.

MR. KRIEGER: So a person exiting the house if the deck weren't there would probably fall down?

MR. CASTILLO: That's correct.

MR. KRIEGER: So it's a safety issue?

MR. CASTILLO: It's a safety issue.

MS. GANN: And the stairs will be coming down the same way?

MR. CASTILLO: Same way it is right now, correct.

MS. GANN: I don't have anything else.

MR. LUNDSTROM: Madam Chairwoman, I will make a motion that we proceed with the application of Mr. Luis Castillo's request for 12 foot rear yard setback for proposed wood deck at 280 Garden Street in an R-4 zone and we proceed with this to a public hearing.

MR. TORPEY: I'll second that.

ROLL CALL

MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MS. GANN	AYE

LUIS CASTILLO (06-41)

Mr. Luis Castillo appeared before the board for this proposal.

MR. KANE: Request for 12 ft. rear yard setback for proposed wood deck at 280 Garden Street. Tell us, just speak loud enough for this young lady to hear you.

MR. CASTILLO: I'm requesting a 12 foot rear yard setback, I currently have a 10 x 10 wood deck that I wish to replace with a 16 x 22 feet and because of the shape of my property there seems to be a problem with I think the new dimensions of the new deck and we're replacing the 10 x 10.

MR. KANE: Michael, where the line that shows the 31'2" we're considering that rear yard?

MR. BABCOCK: Side yard, Mr. Chairman. The other angle back where we have 38 feet that's what we consider the rear yard unless you'd like to us change that.

MR. KANE: No, since it's a strange looking lot, just wanted to clarify. How big is the deck you're now proposing to build?

MR. CASTILLO: Sixteen by twenty-two.

MR. KANE: Is that similar in size and nature to other decks that are in your neighborhood?

MR. CASTILLO: As far as I know, yes.

MR. KANE: Cutting down any trees, substantial vegetation in the building of the deck?

MR. CASTILLO: No.

MR. KANE: Creating water hazards or runoffs?

MR. CASTILLO: No.

MR. KANE: Any easements running through the area where you'd like to put the deck?

MR. CASTILLO: Not that I know of.

MR. KANE: Let the record show that there you have sliding doors coming off the back of your hours?

MR. CASTILLO: Yes.

MR. KANE: Therefore having a safe deck there is a safety consideration?

MR. CASTILLO: Yes.

MR. KANE: At this point, I will open it up to the public and ask if anybody's here for this particular hearing?

MR. MACKEY: Ron Mackey, we live at 286 Garden Street next door to the Castillos, yeah, we live next door. We have no problem with his proposal.

MR. KANE: Anybody else? We'll close the public portion, bring it back to Myra, ask how many mailings we had.

MS. MASON: On August 7, I mailed out 34 addressed envelopes, had no response.

MR. KANE: And we'll take it to the board. Any further questions? I'll accept a motion.

MR. TORPEY: I will make a motion that we grant Luis Castillo's variance as requested for his deck.

MR. LUNDSTROM: I will second that motion.

August 28, 2006

45

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MS. LOCEY	AYE
MR. KANE	AYE

**AFFIDAVIT OF MAILING**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

LUIS CASTILLO

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

#06-41

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 7TH day of AUGUST, 2006, I compared the 34 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

20th day of August, 20 06

Lisa R. DiStefano  
Notary Public

LISA R. DISTEFANO  
Notary Public, State Of New York  
No. 01D16050022  
Qualified In Orange County  
Commission Expires 10/30/ 06

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

**Appeal No. 06-41**

**Request of LUIS CASTILLO**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 12 ft. Rear Yard Setback for proposed wood deck at 280 Garden Street  
in an R-4 Zone (35-3-8)**

**PUBLIC HEARING will take place on AUGUST 28, 2006  
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York  
beginning at 7:30 P.M.**

  
\_\_\_\_\_  
**Michael Kane, Chairman**

# LEGALS

## Notice of Formation

Notice of Formation of New-Land, LLC (LLC). Articles of Organization filed with the Secretary of State of New York (SSNY) on 5/25/06. Office Location: 2 Academy Street, Newburgh, NY 12550 (Orange County). SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: 2 Academy Street, Newburgh, NY 12550. Purpose: any lawful activity

## Notice of Formation of RWD Property LLC

Articles of Organization filed with the Secretary of State of New York (SSNY) on 4/28/06. Office Location: Orange County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: LLC, c/o Kopald and Kopald, P.C., 189 Main Street, P O Box 274, Highland Falls, New York 10928. Term until April 26, 2105. All lawful purposes.

## Limited Liability Company

Notice of Formation of Limited Liability Company (LLC). Name: SUBSURFACE TECHNOLOGIES. Articles of Organization filed with the Secretary of State of New York (SSNY) on 6/21/06. Office Location: Orange County. Principal business location: 40 Stone Castle Road, Rock Tavern, NY 12575. Purpose: any and all lawful purposes. Secretary of State of New York (SSNY) designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: 40 Stone Castle Road, Rock Tavern, NY 12575.

## NOTICE OF SUBSTANCE OF N&N OF HUDSON VALLEY II, LLC

The Articles of Organization of N&N of Hudson Valley II, LLC were filed on June 9, 2006, with the Secretary of State of New York (SSNY). This Limited Liability Company (LLC) has an office in Orange County, New York and the principal business location is 1089 Little Britain Road, New Windsor, NY 12553. The SSNY is designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of the process to 1089 Little Britain Road, New Windsor, NY 12553. The latest date on which the company may dissolve is December 31, 2099. Purpose: all lawful purposes.

## MAR-MEN, LLC

Mar-Men, LLC. Notice of formation of Limited Liability Company (LLC). Articles of Organization filed with Sec. of State of New York ("SSNY") on May 23, 2006. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of any process to the LLC, 1010 Pine View, New Windsor, NY. 12553. Office Location: Orange County. Purpose: Any lawful act or activity. Todd A. Kelson, P.C., 542 Union Ave, New Windsor, NY 12553

## NOTICE OF LLC

MARK G. ABERASTURI Notice of formation of limited liability company (LLC). Name: Val-Mar Contractors, LLC Articles of Organization filed with Secretary of State of New York (SSNY) on February 14, 2006. Office location: Orange County, SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: The LLC, 238 Am Street, Newburgh, NY 12550. Purpose: Any lawful purpose.

## Notice Of Formation Of Prime Possibilities

Articles of Organization with the Secretary of State of New York (SSNY) on 6/16/06. Office Location: Orange County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall

## For property situated as follows:

36 Robinson Avenue  
Section: 29 Block: 1 Lot(s): 31 as described on the Tax Records, Newburgh, New York.  
The Public Hearing will be held on Tuesday, August 22, 2006 and any adjourned date, at 7:30 pm in the Activity Center, Washington Street, Newburgh, New York.  
Anyone wishing to make comment on the application may do so at that time.  
Joanne Lugo, Chairperson  
City of Newburgh Zoning Board of Appeals  
Dated: August 3, 2006  
Published: August 8, 2006

## CITY OF NEWBURGH ZONING BOARD OF APPEALS

Please Take Notice, that a Public Hearing will be held by the City of Newburgh, Zoning Board of Appeals pursuant to Section 300-80(G) of the Zoning Code, on the following matters:

Appeal No. 2006-24  
Request of applicant/owner, Ponchiamo Ramirez, is requesting an Area Variance for 34.40 feet on lot depth which does not meet the Schedule of Use and Bulk Regulations for the construction of a single family dwelling in a R1 zone. For property situated as follows:  
172 Gidney Avenue  
Section: 7 Block: 2 Lot(s): 19 as described on the Tax Records, Newburgh, New York.

The Public Hearing will be held on Tuesday, August 22, 2006 and any adjourned date, at 7:30 pm in the Activity Center, Washington Street, Newburgh, New York.  
Anyone wishing to make comment on the application may do so at that time.  
Joanne Lugo, Chairperson  
City of Newburgh Zoning Board of Appeals  
Dated: August 3, 2006  
Published: August 8, 2006

## CITY OF NEWBURGH ZONING BOARD OF APPEALS

Please Take Notice, that a Public Hearing will be held by the City of Newburgh, Zoning Board of Appeals pursuant to Section 300-80(G) of the Zoning Code, on the following matters:

Appeal No. 2006-27  
Request of applicant/owner, Habitat for Humanity of Greater Newburgh, is requesting an Area Variance for 4,500 square feet on lot area, 45 feet on lot width, 2.9 feet on front yard, 8.3 on side yard and two (2) off-street parking spaces which does not meet the Schedule of Use and Bulk Regulations for the construction of a single family dwelling in a R1 zone. For property situated as follows:  
58 Henry Avenue  
Section: 44 Block: 11 Lot(s): 23 as described on the Tax Records, Newburgh, New York.

The Public Hearing will be held on Tuesday, August 22, 2006 and any adjourned date, at 7:30 pm in the Activity Center, Washington Street, Newburgh, New York.  
Anyone wishing to make comment on the application may do so at that time.

Joanne Lugo, Chairperson  
City of Newburgh Zoning Board of Appeals  
Dated: August 3, 2006  
Published: August 8, 2006

## CITY OF NEWBURGH ZONING BOARD OF APPEALS

Please Take Notice, that a Public Hearing will be held by the City of Newburgh, Zoning Board of Appeals pursuant to Section 300-80(G) of the Zoning Code, on the following matters:

## 12553.

The Information for Bidders, Drawings, Specifications and other Contract Documents may be reviewed at the offices of McGory, Hauser and Edsall Consulting Engineers, P.C., 33 Airport Center Drive, Suite 202, New Windsor, New York and obtained from the Town of New Windsor becoming available on 4 August 2006 upon payment of a deposit of \$40.00 per set. Addenda, if any, will be issued to only those persons whose name and address are on record of having obtained the Contract Documents. The deposit shall be in check form and shall be drawn payable to the Town of New Windsor.

Contract Documents are available by mail, upon written request to the Engineer, and pre-payment, of an additional (non-refundable) charge of \$45.00 per set (\$15.00 handling and \$30.00 mail), payable to McGory, Hauser and Edsall Consulting Engineers, P.C. Documents will be forwarded via Federal Express.

The deposit for each set will be refunded upon return of the Contract Documents to the Owner in unmarked and good condition not later than fifteen (15) days following the opening of Bids. Each bid shall be accompanied by an acceptable form of Bid Guarantee in an amount equal to at least five (5) percent of the amount of the Bid payable to the Town of New Windsor as a guarantee that if the Bid is accepted, the Bidder will, within fifteen (15) days after the award of the Contract, execute the Contract and file acceptable Performance and Labor and Material Payment Bonds and Certificate(s) of Insurance.

**OWNERS RIGHTS RESERVED:** The Town of New Windsor hereinafter called the Owner, reserves the right to reject any or all Bids and to waive any informality or technicality in any Bid in the interest of the Owner.  
**STATEMENT OF NON-COLLUSION:** Bidders on Contracts are required to execute a non-collusive bidding affidavit pursuant to Section 103d of the General Municipal Law of the State of New York. Attention of bidders is particularly called to the requirement as to conditions of employment to be observed and the minimum wage rates to be paid under the Contract, Section 3, Segregated Facilities, Section 109, and Executive Order 11246.

Bidders are also required to comply with the provisions of Section 291-299 of the Executive Law of the State of New York. No bidder may withdraw his bid within forty-five (45) days after the actual date of the opening thereof. Subject to the provisions of Article 28, Part III of the New York State Tax Law and the provisions of the Contract Documents, the Owner is exempt from payment of sales and compensating use taxes of the State of New York and cities and counties on all materials supplied to the Owner pursuant to this contract.

The Town of New Windsor hereby notifies all bidders that it will affirmatively insure that in regard to any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the ground of race, gender, color or national origin in consideration of an award.

## BY ORDER OF THE NEW WINDSOR TOWN BOARD

Deborah Greco  
Town Clerk  
Dated: 4 August 2006  
McGory, Hauser and Edsall  
Consulting Engineers, P.C.  
33 Airport Center Drive  
Suite 202 New Windsor, New York 12553  
(845)567-3100  
"AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER"

## TOWN OF NEW WINDSOR

NOTICE OF PUBLIC HEARING

4

## BOARD OF APPEALS

### TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 06-45  
Request of DEBORAH MENKENS  
for a VARIANCE of the Zoning Local Law to Permit:  
Request for variance to allow additional horses maintained 35 ft. from property lines at 1 Sean Court in an R-1 Zone (52-1-79.1)

PUBLIC HEARING will take place on AUGUST 28, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.  
Michael Kane, Chairman

## 5 PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS

### TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. (06-42)  
Request of DIANE BUCKNER  
for a VARIANCE of the Zoning Local Law to Permit:  
Request for 16 ft. 6 inch Front Yard Setback and; 27 ft. 6 inch Front Yard Setback and; a 5 ft. Rear Yard Setback for addition to single family home and; Interpretation and/or variance for single family home with two kitchens at 16 Cannon Drive, on a Corner Lot, in an R-4 Zone (45-3-8)

PUBLIC HEARING will take place on AUGUST 28, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.  
Michael Kane, Chairman

## 6 PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS

### TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 06-43  
Request of SISTERS OF THE PRESENTATION  
for a VARIANCE of the Zoning Local Law to Permit:  
Request for Interpretation and/or Use Variance to operate a Day Care Center at 880 Jackson Avenue in an R-1 Zone (32-2-80)

PUBLIC HEARING will take place on AUGUST 28, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.  
Michael Kane, Chairman

## 7 PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS

### TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 06-44  
Request of JOHN & TINA PETUTIS  
for a VARIANCE of the Zoning Local Law to Permit:  
Request 10 ft. Rear Yard Setback for existing pool deck at 238 Summit Drive in an R-4 Zone (8-4-9)

PUBLIC HEARING will take place on AUGUST 28, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

Director of Office for the Aging at the above address.

Nicholas Garten, Director  
Office for the Aging  
County of Orange  
Dated: August 7, 2006

## LEGAL NOTICE

The Orange County Office for the Aging announces that it will be accepting applications for funding under the New York State Expanded In-Home Services for the Elderly Program (EISEP), with a deadline for filing applications on September 27, 2006. The awarding of funds is based on a competitive process.

The Expanded In-Home Services for the Elderly Program funds are to provide Case Management, Personal Care Levels I and II, and Ancillary (Personal Supplies, Personal Emergency Response, Appliance Repair and Replacement, and Home Modification and Repair) Services to functionally impaired persons age 60 and over residing in Orange County.

Funds for the FY 2007/08 Program Period are available April 1, 2007 through March 31, 2008. Minority owned businesses are encouraged to apply.

For further information on funding, please call Jayne Huns, Contract Coordinator for the Office for the Aging at (845) 291 2173.

Nicholas Garten, Director  
Office for the Aging  
Dated: August 7, 2006

## LEGAL NOTICE

The Orange County Office for the Aging announces that it will be accepting applications for funding under the New York State Long Term Care Insurance Education and Outreach Program (LTCIEOP) with a deadline for filing applications on September 27, 2006. The awarding of funds is based on a competitive process. Minority owned businesses are encouraged to apply.

Funds for the program period are available April 1, 2007 to March 31, 2008.

For further information on funding levels please call Jayne Huns, Contract Coordinator for the Office for the Aging, at (845) 291 2173.

Nicholas Garten, Director  
Office for the Aging  
DATED: August 7, 2006

## LEGAL NOTICE

The Orange County Office for the Aging announces that it will be accepting applications for Nutrition Counseling Services by a Registered Dietitian as required by the Older Americans Act with a deadline for filing applications on September 27, 2006.

Funds for the FY 2007 program period are available January 1, 2007 to December 31, 2007.

For further information on funding levels and requirements please call Jayne Huns, Contract Coordinator for the Office for the Aging at (845) 291 2173.

Nicholas Garten, Director  
Office for the Aging  
DATED: August 7, 2006

## NOTICE TO BIDDERS

### COUNTY OF ORANGE

### OFFICE FOR THE AGING

### GOSSEN CONGREGATE SENIOR DINING

### SITE

### and

### HOME DELIVERED MEAL PROGRAM

Sealed proposals will be received by the Orange

mail copy of process to LLC, c/o Kopald and Kopald, P.C., 189 Main Street, P.O. Box 274, Highland Falls, New York 10928. Term until: 12/20/2005. All lawful purposes.

#### Limited Liability Company

Notice of Formation of Limited Liability Company (LLC) Name: SUBSURFACE TECHNOLOGIES-HD LLC. Articles of Organization filed with the Secretary of State of New York (SSNY) on 6/21/06. Office Location: Orange County. Principal business location: 40 Stone Castle Road, Rock Tavern, NY 12575. Purpose: any and all lawful purposes. Secretary of State of New York (SSNY) designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: 40 Stone Castle Road, Rock Tavern, NY 12575.

#### CITY OF NEWBURGH ZONING BOARD OF APPEALS

Please Take Notice, that a Public Hearing will be held by the City of Newburgh, Zoning Board of Appeals pursuant to Section 300-80(G) of the Zoning Code, on the following matters:

##### Appeal No. 2006-25

Request of applicant, Sal's Contracting, is requesting an Area Variance for 5 feet on the side yard which does not meet the Schedule of Use and Bulk Regulations for the construction of a deck in a RI zone. Property owned by: Fernando Tejada

For property situated as follows:  
23 Fowler Avenue

Section: 25 Block: 1 Lot(s): 17 as described on the Tax Records, Newburgh, New York.

The Public Hearing will be held on Tuesday, August 22, 2006 and any adjourned date, at 7:30 pm in the Activity Center, Washington Street, Newburgh, New York.

Anyone wishing to make comment on the application may do so at that time.

Joanne Lugo, Chairperson  
City of Newburgh Zoning Board of Appeals  
Dated: August 3, 2006  
Published: August 8, 2006

#### CITY OF NEWBURGH ZONING BOARD OF APPEALS

Please Take Notice, that a Public Hearing will be held by the City of Newburgh, Zoning Board of Appeals pursuant to Section 300-80(G) of the Zoning Code, on the following matters:

##### Appeal No. 2006-26

Request of applicant, Sal's Contracting, is requesting an Area Variance for 8 feet on the side yard which does not meet the Schedule of Use and Bulk Regulations for the construction of a deck in a RI zone. Property owned by: Marisol Silva

Appeal No. 2006-23

Request of applicant/owner, Tara Khaleel, is requesting a Use Variance to convert a single family dwelling into a two family dwelling and an Area Variance for 5,513.1 square feet on lot area, 52.8 feet on lot width, 10.5 feet on lot depth, 5 feet on front yard, 10 feet on side yard, 1 story on building height and four (4) off-street parking spaces which does not meet the Schedule of Use and Bulk Regulations in a RI Zone.

For property situated as follows:

12 South Miller Street

Section: 30 Block: 2 Lot(s): 33 as described on the Tax Records, Newburgh, New York.

The Public Hearing will be held on Tuesday, August 22, 2006 and any adjourned date, at 7:30 pm in the Activity Center, Washington Street, Newburgh, New York.

Anyone wishing to make comment on the application may do so at that time.

Joanne Lugo, Chairperson  
City of Newburgh Zoning Board of Appeals

Dated: August 3, 2006

Published: August 8, 2006

#### CORNWALL CENTRAL SCHOOL DISTRICT

Notice to bidders The Board of Education of the Cornwall Central School District (In accordance with Section 103 of Article 5-A of the General Municipal Law hereby invites the submission of sealed bids on "BEVERAGE BID" (ONE BID). Bids will be received until Noon on the 11th day of August, 2006, at 130 Main Street office at which time and place all bids will be publicly opened. Specifications and bid forms may be obtained at the same office. The Board of Education reserves the right to reject all bids. Any bids submitted will be binding for 90 days subsequent to the date of bid opening.

Board of Education Cornwall Central School District  
County of Orange

24 Idlewild Avenue

Cornwall-on-Hudson, New York 12520

By: Harvey Sotland

District Clerk

#### ADVERTISEMENT FOR BIDS

Receipt of Bids: Sealed Bids on forms prepared by the Engineer will be received by the Town of New Windsor until 10:00 a.m. (local time) on 18 August 2006, for the Mount Airy Park Pavilion, in accordance with the Drawings, Specifications, and other Contract Documents prepared by McGoe, Hauser and Edsall Consulting Engineers, P.C., 33 Airport Center Drive, Suite 202, New Windsor, New York 12553. Bids will be publicly opened and read at 10:00 a.m. (local time) on 18 August 2006 at the offices of the Town of New Windsor, Town Clerk, 555 Union Avenue, New Windsor, New York

#### PROPOSED SEWER ASSESSMENT ROLL - 2007

PLEASE TAKE NOTICE: that the Town Board of the Town of New Windsor will hold a Public Hearing on the 6th day of September, 2006 and 7:00 P.M., at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York regarding the Proposed Sewer Assessment Roll for all sewer districts in the Town of New Windsor for the year 2007.

Said Proposed Sewer Assessment Roll is on file with the Town Clerk and may be examined in her office during regular business hours, Monday through Friday, from 8:30 A.M. to 4:30 P.M.

BY ORDER OF THE TOWN BOARD  
TOWN OF NEW WINDSOR  
DEBORAH GREEN, TOWN CLERK

#### 1 PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

##### Appeal No. 06-47

Request of MICHAEL FARICELLIA

for a VARIANCE of the Zoning Local Law to Permit:

Request for:

8 ft. Rear Yard Setback for existing 8' X 4' Shed and;

7 ft. Side Yard Setback and 8 ft. Rear Yard Setback for existing 8' X 20' Shed

at 650 Blooming Grove Turnpike in an R-4 Zone (45-1-11)

PUBLIC HEARING will take place on AUGUST 28, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.  
Michael Kane, Chairman

#### 2 PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

##### Appeal No. (06-46)

Request of BOHLER ENGINEERING (for Cumberland Farms)

for a VARIANCE of the Zoning Local Law to Permit: Request for 96 sq. ft. sign area and; 3 ft. Height for proposed free-standing sign at 401 Blooming Grove Tpk (Cumberland Farms) in an NC Zone (37-1-3)

PUBLIC HEARING will take place on AUGUST 28, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.  
Michael Kane, Chairman

#### 3 PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

##### Appeal No. 06-41

Request of LUIS CASTILLO for a VARIANCE of the Zoning Local Law to Permit:

Request for 12 ft. Rear Yard Setback for proposed 12' x 20' deck at 280 Garden Street in an R-4 Zone (35-3-8)

PUBLIC HEARING will take place on AUGUST 28, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.  
Michael Kane, Chairman

#### PUBLIC HEARING NOTICE ZONING

#### LEGAL NOTICE

The Orange County Office for the Aging announces that it will be accepting applications for Nutrition Education funding under Title III-C of the Older Americans Act, with a deadline for filing applications on September 27, 2006. Minority owned businesses are encouraged to apply.

Funds for the FY 2007 program period are available January 1, 2007 to December 31, 2007.

For further information on funding levels, please call Jayne Hums, Contract Coordinator for the Office for the Aging at (845) 291 2173.

Nicholas Gerten, Director

Office for the Aging

DATED: August 7, 2006

#### LEGAL NOTICE

The Orange County Office for the Aging announces that it will be accepting applications for funding under the New York Elder Caregiver Support Program under Title III-E of the Older Americans Act, with a deadline for filing applications on September 27, 2006. Incorporated organizations with new or innovative programs for Senior Citizens aged 60+, and Caregivers to the Elderly, are encouraged to apply. The awarding of funds is based on a competitive process. Minority owned businesses are encouraged to apply.

Type of programs that can be funded with Title III-E monies include Information & Assistance, Caregiver Services (Counseling, Support Groups & Training), Respite (including In-Home Care Aides, In-Home Contact and Support, Adult Day Services), and Supplemental Services. These services are to be made available to Family Caregivers of the Elderly and Elderly Relative Caregivers of Children.

Funds for the FY 2007 program period are available January 1, 2007 - December 31, 2007.

For further information on funding levels, matching fund requirements, and application packets, please call Jayne Hums, Contract Coordinator for the Office for the Aging at (845) 291 2173.

Nicholas Gerten, Director

Office for the Aging

DATED: August 7, 2006

#### NOTICE TO BIDDERS COUNTY OF ORANGE OFFICE FOR THE AGING FRIENDLY VISITING/TELEPHONE REASSURANCE/ SHOPPING ASSISTANCE.

Sealed proposals will be received by the Orange County Office for the Aging, 30 Matthews Street, Suite 201, Goshen, New York; up to and including Wednesday, September 27, 2006 at 3:00 p.m.; when the same will be publicly opened and read for the operation of a county-wide FRIENDLY VISITING/TELEPHONE REASSURANCE/SHOPPING ASSISTANCE PROGRAM. Said Program must serve persons sixty years of age and over. A 33% funding match is required of all bidders. Minority owned businesses are encouraged to apply. The specifications, form of proposal and information to bidders are available at the Orange County Office for the Aging, 30 Matthews Street, Suite 201, Goshen, NY 10924, (845) 291 2173.

Any award shall be subject to the issuance of a contract between the bidder and the County of Orange.

Each bid shall be properly executed and signed by the bidder. Unsigned bids will not be honored. Bids must be submitted to this office no later than the date and time indicated above. NO LATE BIDS WILL BE ACCEPTED NO EXCEPTIONS.

Proposals are to be enclosed in a sealed envelope clearly marked: "SEALED BID: Proposal for Friendly Visiting/Telephone Reassurance/Shopping Assistance," and shall be addressed to Mr. Nicholas Gerten,

County Office for the Aging, 30 Matthews Street, Suite 201, Goshen, New York; up to and including Wednesday, September 27, 2006 at 3:00 p.m.; when the same will be publicly opened and read for supplying, and the operation of, the GOSHEN CONGREGATE SENIOR DINING SITE as well as a HOME DELIVERED MEAL PREPARATION AND DISTRIBUTION CENTER. The specifications, form of proposal and information to bidders are available at the Orange County Office for the Aging, 30 Matthews Street, Suite 201, Goshen, NY 10924, (845) 291 2173. Minority owned businesses are encouraged to bid.

Any award shall be subject to the issuance of a contract between the bidder and the County of Orange, from January 1, 2007 to December 31, 2007.

Each bid shall be properly executed and signed by the bidder. Unsigned bids will not be honored. Bids must be submitted to this office no later than the date and time indicated above. NO LATE BIDS WILL BE ACCEPTED NO EXCEPTIONS.

Proposals are to be enclosed in a sealed envelope clearly marked: "Proposal for Goshen Dining Site and Home Delivered Meal Program", and shall be addressed to Mr. Nicholas Gerten, Director of Office for the Aging at the above address

Nicholas Gerten

Director

Office for the Aging

Dated: August 7, 2006

#### LEGAL NOTICE

The Orange County Office for the Aging announces that it will be accepting applications for funding under Title III-B of the Older Americans Act, with a deadline for filing applications on September 27, 2006. Incorporated organizations with new or innovative programs for Senior Citizens aged 60+ are encouraged to apply. The awarding of funds is based on a competitive process. Minority owned businesses are encouraged to apply.

Types of programs currently funded with Title III-B monies include Transportation, Legal Assistance, In-Home Contact and Support, and Information & Assistance.

Funds for the FY 2007 Program Period are available January 1, 2007 to December 31, 2007.

For further information on funding levels and matching fund requirements, please call Jayne Hums, Contract Coordinator for the Office for the Aging at (845) 291 2173.

Nicholas Gerten, Director

Office for the Aging

DATED: August 7, 2006

#### LEGAL NOTICE

The Orange County Office for the Aging announces that it will be accepting applications for funding under the New York State Community Services for the Elderly (CSE) Program, with a deadline for filing applications on September 27, 2006. The awarding of funds is based on a competitive process. Incorporated Organizations with new or innovative programs for Senior Citizens Aged 60+ and minority owned businesses are encouraged to apply.

Types of Programs currently funded with Community Services monies include Transportation, Friendly Visiting, Hospice Care, Health Promotion and Screening, Shopping Assistance, Telephone Reassurance and Assisted Transportation/Escort.

Funds for the FY 2007/08 Program Period are available April 1, 2007 through March 31, 2008. For further information on funding levels and matching funds requirements, please call Jayne Hums, Contract Coordinator for the Office for the Aging at (845) 291 2173.

Nicholas Gerten, Director

Office for the Aging

Dated: August 7, 2006

**DRIVER TRAINING • CDL-A**  
**80,000 NEW JOBS!**

**\$32-\$40,000\***

**DAILY/WEEKEND COURSES**

**ATTS**

**NO APPOINTMENT NECESSARY • Walk-In Welcome**  
**Daily 9am - 11am • 1pm - 5pm**  
**Tues. 8pm • Sat. 10am**

**4650 Buckley Rd., Liverpool, NY 13088**  
**1-800-243-9300**

**COME VISIT! www.attns.edu**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

July 18, 2006

Mr. Luis Castillo  
280 Garden St.  
New Windsor, NY 12553

Re: 35-3-8

ZBA#: 06-41 (34)

Dear Mr. Castillo:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$55.00 minus your deposit of \$25.00.

Please remit the balance of \$30.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/rah  
Attachments

CC: Myra Mason, Zoning Board

Sec. 88  
WINDSOR CREST HOMEOWNERS  
ASSOC.  
PO BOX 454  
CENTRAL VALLEY, NY 10917

35-2-11  
ANDREW RYAN &  
JOAN O'DONOGHUE  
6 WINDSOR SQUARE DR.  
NEW WINDSOR, NY 12553

35-4-2  
DARRYL & ZULMA MELVIN  
297 GARDEN ST.  
NEW WINDSOR, NY 12553

38-3-9  
NY CENTRAL LINES  
C/O CSX  
500 WATER ST. (J-P10)  
JACKSONVILLE, FL 32202

35-2-12  
WILLIAM & LINDA FURCHAK  
2 WINDSOR SQUARE DR.  
NEW WINDSOR, NY 12553

35-4-3  
DONALD & MARYLOU NAPOLITANI  
293 GARDEN ST.  
NEW WINDSOR, NY 12553

35-1-40  
PAUL SCHATZ  
234 WINDSOR HIGHWAY  
NEW WINDSOR, NY 12553

35-3-1  
RONALD & KATHLEEN MACKEY  
86 GARDEN ST.  
NEW WINDSOR, NY 12553

35-4-4  
ERIC & CRYSTAL PAYNE  
291 GARDEN ST.  
NEW WINDSOR, NY 12553

35-2-1.1  
ADA & RUBEN RODRIGUEZ  
305 GARDEN CT.  
NEW WINDSOR, NY 12553

35-3-2  
JOSEPH & GLORIA OLGIN  
15 WINDSOR SQUARE DR.  
NEW WINDSOR, NY 12553

35-4-5 & 35-4-6  
MICHAEL & PATRICIA  
COLUCCI  
283 GARDEN ST.  
NEW WINDSOR, NY 12553

35-2-2  
OLGA SAPMPERIO  
311 GARDEN ST.  
NEW WINDSOR, NY 12553

35-3-3  
SHAMSUDDIN SHAMIN  
13 WINDSOR SQUARE DR.  
NEW WINDSOR, NY 12553

35-4-7  
BRUCE & STEPHANIE BOGERD  
281 GARDEN ST.  
NEW WINDSOR, NY 12553

35-2-5  
RAYMOND & RAELENE MASI  
300 GARDEN ST.  
NEW WINDSOR, NY 12553

35-3-4  
TERRELLA SMITH  
1 WINDSOR SQUARE DR.  
NEW WINDSOR, NY 12553

35-4-8  
RAMON & ANA SANTOS  
277 GARDEN ST.  
NEW WINDSOR, NY 12553

35-2-6  
RICHARD & DENISE BRISKIN  
298 GARDEN ST.  
NEW WINDSOR, NY 12553

35-3-5  
MARILYNNE & RONALD TRIOANO  
266 GARDEN ST.  
NEW WINDSOR, NY 12553

35-4-9  
LEE & THERESA GLOFFKE  
273 GARDEN ST.  
NEW WINDSOR, NY 12553

35-2-7  
ANTONIUS & CATHARINA  
TINNEMANS  
296 GARDEN ST.  
NEW WINDSOR, NY 12553

35-3-6  
MIGUEL & MONICA PLACENCIA  
270 GARDEN ST.  
NEW WINDSOR, NY 12553

35-4-10  
ANTHONY & CHRISTINA  
ROSARIO  
271 GARDEN ST.  
NEW WINDSOR, NY 12553

35-2-9  
EDDIE & LINDA MORALES  
16 WINDSOR SQUARE DR.  
NEW WINDSOR, NY 12553

35-3-7  
NEIL & PATRICIA CLARINO  
274 GARDEN ST.  
NEW WINDSOR, NY 12553

38-3-1  
DONNA HARRISON  
RD 3 LEELAND RD.  
NEWBURGH, NY 12550

35-2-10  
DAVID & JENNIFER MESSINGER  
10 WINDSOR SQUARE DR.  
NEW WINDSOR, NY 12553

35-4-1  
MATTHEW BAILEN  
301 GARDEN ST.  
NEW WINDSOR, NY 12553

38-3-2  
ALBERT R. FRANGELLO  
PO BOX 4624  
NEW WINDSOR, NY 12553

38-3-3 & 38-3-5  
NORMA J.FRANGELLO  
2 COUTANT LANE  
NEW WINDSOR, NY 12553

38-3-6  
COLLEEN & FREDERICK SIMONI  
1 COUTANT LANE  
NEW WINDSOR, NY 12553

38-3-7  
LUIS RODRIGUEZ &  
ELIZABETH ABREU  
3 COUTANT LANE  
NEW WINDSOR, NY 12553

38-3-8  
RACHEL MILLER  
5 COUTANT LANE  
NEW WINDSOR, NY 12553



RESULTS OF Z.B.A. MEETING OF: July 10, 2006

**PROJECT:** Luis Castillo

**ZBA #** 06-41

**P.B.#**

**USE VARIANCE:**

**NEED: EAF**

## PROXY

LEAD AGENCY: M) S) VOTE: A N

CARRIED: Y N

**PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_**

CARRIED: Y N

**NEGATIVE DEC:** M)                      S)                      VOTE: A                      N

**CARRIED: Y N**

**APPROVED: M)\_\_\_\_\_S)\_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_**

CARRIED: Y N

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:**

$$MDL \quad S) \bar{I}$$

VOTE: A3 NO

**FORM**  
**100-10**

A  
A  
A

CARRIED: Y ☒ N

**PUBLIC HEARING:**

## STATEMENT OF MAILING READ INTO MINUTES

**VARIANCE APPROVED:**

**MD S) VOTE: A N**

**KANE**

**CARRIED: Y N**

[illegible]

TOTAL CHARGES: \_\_\_\_\_

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#549-2006**

07/06/2006

Castillo, Milene *ZBA 06-41*

Received \$ 50.00 for Zoning Board Fees, on 07/06/2006. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**  
**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 06-29-2006

FOR: ESCROW 06-41

FROM:

**Mr. Luis Castillo**  
**280 Garden Street**  
**New Windsor, NY 12553**

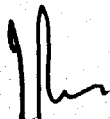
CHECK FROM:  
SAME

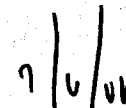
CHECK NUMBER: 165

TELEPHONE: 569-4872

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

  
\_\_\_\_\_  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

June 29, 2006

Mr. Luis Castillo  
280 Garden Street  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #06-41

Dear Mr. Castillo:

This letter is to inform you that you have been placed on the July 10<sup>th</sup>, 2006 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

280 Garden Street  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



7/26 7/10

**APPLICATION FOR VARIANCE**

6/12/06

Date

Application Type: Use Variance ☐ Area Variance ☐  
Sign Variance ☐ Interpretation ☐

**I. Owner Information:**

Phone Number: (845) 5694872  
Fax Number: ( )  
Name: LUIS CASTILLO  
Address: 280 GARDEN ST New Windsor 12553

**II. Applicant:**

Phone Number: (845) 5694872  
Fax Number: ( )  
Name: LUIS CASTILLO  
Address: 280 GARDEN ST. New Windsor

**III. Forwarding Address, if any, for return of escrow:**

Phone Number: ( )  
Fax Number: ( )  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**IV. Contractor/Engineer/Architect/Surveyor/:**

Phone Number ( )  
Fax Number: ( )  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**V. Property Information:**

Zone: R-4 Property Address in Question: 280 GARDEN ST.  
Lot Size: \_\_\_\_\_ Tax Map Number: Section 35 Block 3 Lot 8

- a. Is pending sale or lease subject to ZBA approval of this Application? NO  
b. When was property purchased by present owner? April 30, 1995  
c. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO

\*\*\*\*PLEASE NOTE:\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	50 ft	38 ft	12 ft.
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

WE ARE REQUESTING AN AREA VARIANCE TO  
REPLACE AN 10X10 DECK WITH AN 16X32 DECK. IT IS VERY  
DIFFICULT TO HAVE A FAMILY DINNER WHEN WE INCLUDE 5 CHAIRS,  
A SMALL TABLE, AND A BARBECUE GRILL ON THE 10X10 DECK.  
I UNDERSTAND THAT NOT ALL OF THE NEW DECK WILL REQUIRE  
AN AREA VARIANCE BECAUSE OF THE SHAPE OF THE PROPERTY.

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
  - ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
  - ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
  - ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of area that variances is being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)


) SS.:

COUNTY OF ORANGE )

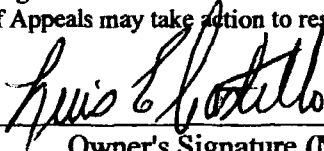
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

15 day of June 2006

  
**CHERYL L. CANFIELD**  
Notary Public, State of New York  
Qualified in Orange County  
#01CA6073319  
Commission Expires April 22, 2010

CHERYL L. CANFIELD  
Notary Public, State of New York  
Qualified in Orange County  
#01CA6073319  
Commission Expires April 22, 2010



Owner's Signature (Notarized)

Owner's Name (Please Print)

Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

### **RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### **MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### **COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

### **INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

\*

### **ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE FOR EACH LABEL WITH **YOUR** RETURN ADDRESS AND A REGULAR \$.39 STAMP. **BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR FURTHER INSTRUCTIONS.** YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

**WHEN YOU COME IN WITH YOUR ENVELOPES, PLEASE ALLOW TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.**

### **NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR INSTRUCTIONS ON COMPLETION. PLEASE ALLOW YOURSELF TIME TO PUT THE NOTICES IN THE ENVELOPES WHILE HERE, THEN YOU WON'T HAVE TO RETURN AGAIN.**

### **NOTE:**

**THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.**

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
 For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <b>LUIS CASTILLO</b>	2. PROJECT NAME
3. PROJECT LOCATION: Municipality <b>NEW WINDSON</b> County <b>ORANGE County</b>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>280 GARDEN ST.</b>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <b>Replace a 10x10 with a 16x22 Deck</b>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <b>Set Back most 30 50 ft.</b>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <b>Town of New Windsor</b>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <b>Luis Castillo</b> Date: <b>06/13/06</b> Signature: <b>Luis Castillo</b>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<p><b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</b> <input type="checkbox"/> Yes    <input type="checkbox"/> No</p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
<p><b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?</b>    If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes    <input type="checkbox"/> No</p>	
<p><b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b></p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p>          <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p>          <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p>          <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p>          <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p>          <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p>          <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p>          	
<p><b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b> <input type="checkbox"/> Yes    <input type="checkbox"/> No    If Yes, explain briefly</p>	

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p> <p><input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:</p>	
<p>_____ Name of Lead Agency</p>	
<p>_____ Print or Type Name of Responsible Officer in Lead Agency</p>	<p>_____ Title of Responsible Officer</p>
<p>_____ Signature of Responsible Officer in Lead Agency</p>	<p>_____ Signature of Preparer (If different from responsible officer)</p>
<p>_____ Date</p>	